

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**DARLENE MARK,**

**Plaintiff,**

**vs.**

**Civ. No. 14-422 MV/KK**

**NORTHERN NAVAJO MEDICAL CENTER,  
CYNTHIA LEE OLSON, and  
UNITED STATES OF AMERICA,**

**Defendants.**

**ORDER OF DISMISSAL**


**THIS MATTER** is before the Court on an Order to Show Cause, filed December 12, 2014. (Doc. 8.) Pursuant to Fed. R. Civ. P. 4(m)<sup>1</sup>, the Court ordered Plaintiff to either effect service or show good cause by January 12, 2015, as to why Defendant United States of America had not been served. (Id.) Pursuant to D.N.M. LR-Civ. 41.1,<sup>2</sup> the Court further ordered Plaintiff to show good cause by January 12, 2015, why she had failed to prosecute this case as to Defendants Northern Navajo Medical Center and Cynthia Lee Olson. (Id.) Plaintiff was advised that a failure to respond to the Order to Show Cause could result in a dismissal of her cause of action. Plaintiff has failed to respond.

---

<sup>1</sup> If a defendant is not served within 120 days after the complaint is filed, the court – on motion or on its own after notice to the plaintiff – must dismiss the action without prejudice against that defendant or order that service be made within a specified time[.] Fed. R. Civ. P. 4(m).

<sup>2</sup> A civil action may be dismissed if, for a period of ninety (90) days, no steps are taken to move the case forward. D.N.M. LR-Civ. 41.1.

**IT IS THEREFORE ORDERED** that Plaintiff's Complaint for Medical Negligence, Negligent Hiring, Training and Supervision, Negligent Infliction of Emotional Distress and Punitive Damages is dismissed without prejudice.



---

MARTHA VAZQUEZ  
United States District Judge